

Comments

Referring now to item 1 of the action of 08/21/03, the examiner's objections to the drawings has been dealt with by amending the specifications to conform to the drawings. On line 7 of the paragraph spanning pages 9 and 10, after "index counter the numeral --35—" has been inserted. The applicant has submitted formal drawings to replace the informal drawings submitted with the application. The formal drawings make no changes in the content of the drawings and add no new matter. The applicant asks that the new drawings be entered into the application

Referring now to item 2 of the action of 08/21/03, the applicant has submitted a Brief Description of the Several Views of the Drawings. This amendment adds no new matter to the application and the applicant asks that this amendment be entered into the application.

Referring now to item 3 of the action of 08/21/03, new claim 3 is scanned copy of applicants claim 1 as originally filed. The period in paragraph g after cut has been changed to a comma.

Referring now to the first sentence of item 5 of the action of 08/21/03, the wording of the preamble of claim 1 has been changed to make the preamble of new claim 3 commensurate with the scope of the body of the claim.

Referring now to the remainder of the first paragraph of item 5 of the action of 08/21/03 wherein the examiner finds that means for performing a function language is not supported by adequate disclosure in the specification. The means for performing a function

language of old claim 1 has been amended to contain the reference numerals of the specifications and drawings to show where, in the specifications and drawings a representative means for performing the claimed function may be found.

Referring now to the last paragraph of item 5 of the action of 08/21/03 wherein the examiner finds the phrase "rotates the knife in the direction of rotation of a core..." to be incompatible with the phrase "a non-rotating circular knife" in claim 1. The phrase "rotates the knife..." in paragraph g has been changed to "indexes the knife..."

The applicant is mindful of the prohibition on introducing new matter into the application and of the length of time that his application has been pending. He has taken care to respond to all the issues raised by the examiner without introducing new matter so as to finally place his application in order for allowance.

The applicant has relied upon the knowledge of those skilled in the art and disclosures of the drawings and of the specifications to disclose the subject matter claimed in his original claim 1 and now in his new claim 3. He submits that when the original specifications, drawings and claims are viewed as a whole there is sufficient disclosure to establish that the applicant was in possession of the invention claimed in new claim 3 at the time of filing of the original application and that no new matter is inserted into the application by the above amendments.

In the event that the applicant's reliance on the knowledge of those skilled in the art was misplaced in believing that the structures illustrated in figure 4, and disclosed in the second full paragraph on page 10 of the specifications, to be enabling and that the means for performing functions by means of a computer chip acting in concert with electronic sensors typically would be understood without the need for recitation of structure, the applicant would be most appreciative of any suggestions that the examiner would be willing to provide on how to provide the disclosures needed to place his new claim 3 in order for allowance.

The applicant submits that by the above amendments and comments he has responded to every issue raised by the examiner and traversed every grounds for rejection presented by the examiner in the action of 08/21/03. He asks that the examiner now find his application for a KNIFE INDEXING APPARATUS to be in order and allow it to issue as a United States Letters Patent.

Respectfully Submitted by

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